CANADIAN
MOVING PICTURE
DIGEST

Vol. 23, No. 22 TORONTO 2, CANADA September 26th, 1931

SMASH!

BEGIN to tell the folks *now* about ALFRED LUNT–LYNN FONTANNE in "THE GUARDSMAN." *Standees matinee and night at $2 at the Astor, N.Y.* M-G-M again pulls a neat coup, a change of pace, bringing these great stage stars to talkies in the Year's Surprise Sensation.

(See Inside Cover)

PUBLISHED BY
CANADIAN MOVING PICTURE DIGEST COMPANY LIMITED
259 SPADINA AVENUE, TORONTO 2

$2 WORDS for a $2 PICTURE!

Keep these reviews for when you play it!

Alfred Lunt and Lynn Fontanne score screen triumph. Here's the perfect picture! What a film it is! What a triumph for Metro! If you don't see another picture—ever—you must see "The Guardsman"

REGINA CREWE—*American*

★★★★ "GUARDSMAN" sparkles four stars. A new triumph of the young cinema season. A foreseen success. Earns its four stars by magnificence of portrayal combined with subtletly and wit of the story which is Ferenc Molnar's. How could it be anything but perfect entertainment? Lunt and La Fontanne, superb artists, take splendidly to the camera. He is handsome; she beautiful; both are fascinating and glamorous. "The Guardsman" is an enchanting evening of fun. We think you'll love it.

IRENE THIRER—*Daily News*

It is a wonderful relief to sit through such a production. Through the discerning eye of the camera one has the opportunity of enjoying this Molnar work to its fullest extent. The audience applauded as though Mr. Lunt were present in person. Dozens of subtle, witty scenes in this film.

MORDAUNT HALL—*Times*

First Family of the Stage becomes practically the First Family of the Screen by the gayety, deftness and light hilarity of their incomparable portrayals. The Lunts are magnificent. Admirable entertainment.

RICHARD WATTS, JR.—*Herald-Tribune*

Its picturization has given the current film year a notable film addition. One of the most charming and satisfying of the 1931 movies.

JULIA SHAWELL—*Graphic*

Superb entertainment. Brilliantly acted, sophisticated in theme and sparkling in dialogue. The result is one of the outstanding productions of the year.

ROSE PELSWICK—*Eve. Journal*

Masterly work. Delightful, suave, mature, literate and humorous piece, of which not only Metro-Goldwyn-Mayer, but the two principals, may well be proud. Altogether "The Guardsman" is an excellent picture.

WILLIAM BOEHNEL—*World-Telegram*

A wholly delightful talkie comedy. Gratifyingly close to perfection. The Astor, evidently, has a new long-lease tenant.

MARTIN DICKSTEIN—*Bklyn. Eagle*

CLIMAXING A YEAR OF ASTOR $2 HITS!

Lunt and Fontanne have taken their Theatre Guild success "The Guardsman" and made of it a screen success of very much the same caliber. It is delightful entertainment all the way through and ought to keep the ushers at the Astor busy for a long time.

THORNTON DELEHANTY—*Eve. Post*

A coup for Metro-Goldwyn-Mayer. Nothing quite like it has been attempted in the talkies. Alfred Lunt and Lynn Fontanne as brilliant as ever. The talkies are lucky to have them. I wouldn't overlook "The Guardsman" if I were you.

JOHN S. COHEN, JR.—*Sun*

Alfred LUNT — Lynn FONTANNE

THE GUARDSMAN

By the courtesy of the Theatre Guild Inc., in a picturization of their greatest stage success with ROLAND YOUNG — ZASU PITTS. *From the play by Ferenc Molnar. Screen play by Ernest Vajda. Directed by* SIDNEY FRANKLIN.

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THEATRES can no longer continue to operate profitably without the best sound.

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NORTHERN SERVICE, too, prevents costly breakdowns—maintains highest possible quality of reproduction.

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6000 Seat De Luxe House Plays UNIVERSAL Serials Every Performance!

1. **FOX THEATRE, Detroit books DANGER ISLAND as experiment on a five-day —two-shows-a-day basis . . .**

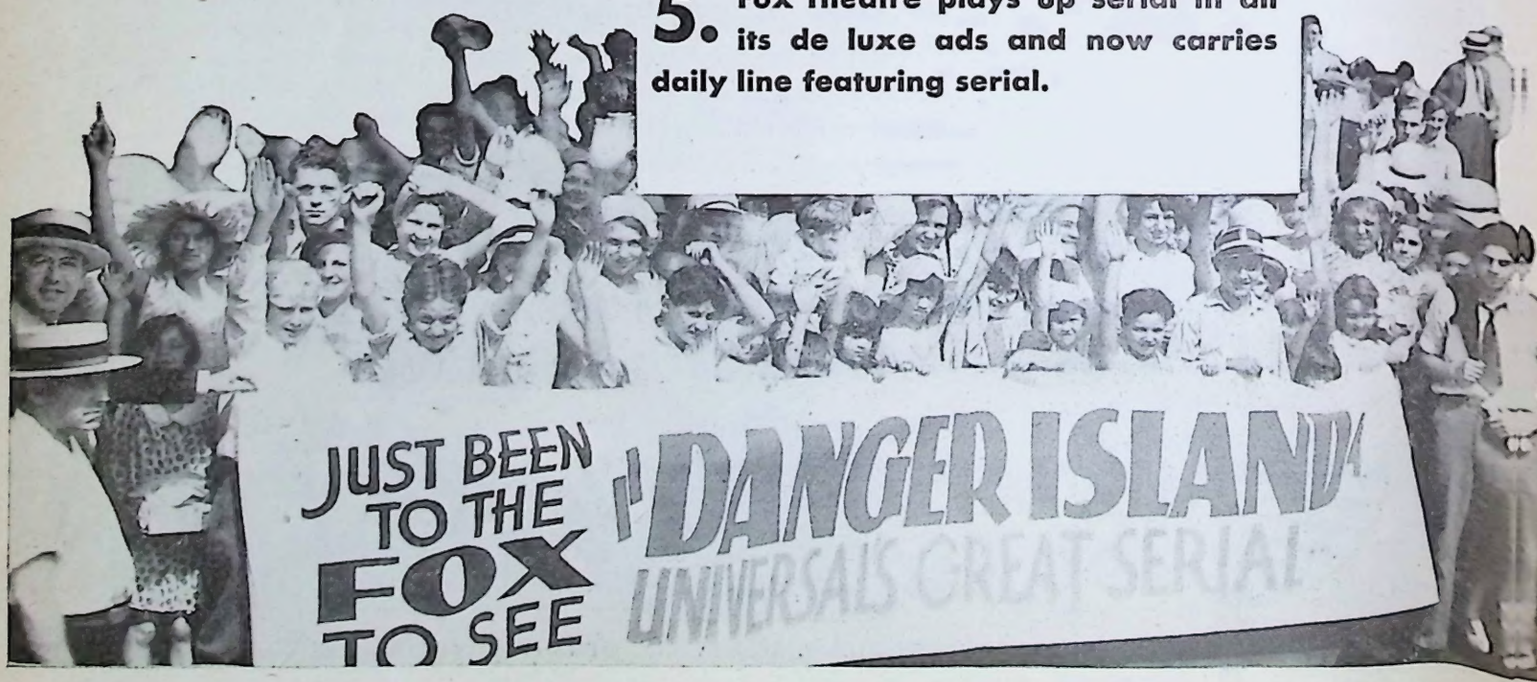
2. **Immediate demand from patrons forces theatre to carry it as seven-day feature . . .**

3. **House puts 4th episode on after feature instead of before . . . Audience complaints convince manager patrons come purposely to see serial . . .**

4. **Consequently management books succeeding Universal serials . . . BATTLING WITH BUFFALO BILL, THE AIR-MAIL MYSTERY and HEROES OF THE LAW . . . to follow up and run serial with each program for balance of season.**

Business Is GREAT at UNIVERSAL!

5. **Fox Theatre plays up serial in all its de luxe ads and now carries daily line featuring serial.**



Police raided the Film Offices of the Combine and Affiliated Interests seeking documentary evidence for prosecution.

Canadian Moving Picture DIGEST

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RAY LEWIS
Editor and Managing Director

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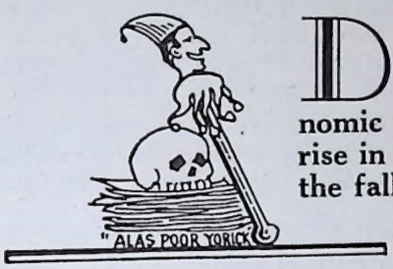
How Welcome?



DURING the past week, our Industry of Motion Pictures has been eagerly scanning headlines, not only to discover what was new under the sun in economic world values, the fall of the gold standard, and the rise in silver, both welcomed as possible trade solutions, but the fall of Film Combine Power, and the rise of Independents, the truly welcome change which is likely to govern the future economic values in Motion Pictures.

Our Industry has always had an idea that "it could get away with anything." Its smartest fellows have said so; and those not quite so smart have believed them. How could one disagree with a picture authority, who was drawing in salary, not considering bonuses, two to three hundred thousand yearly, while the other fellow was still labouring in the $5,000 class.

It is a good many years since Exhibitors informed Producer - Distributors that building theatres in opposition, was unfair competition. The building, however, went merrily along, until the exhibitors grew hoarse, and more hoarse in protest; and only "the wee, sma' voice within," remained convinced that Producer-Distributors should have concentrated on picture-making, instead of theatre-building!

It is a long, long story which involves the "whys and wherefores," for and against, Producer-Distributor-Exhibitor combinations. It appears a long, long time ago when the Motion Picture Theatre Owners of America and Canada, sensing in a business way the ultimate result of such combination, refused to admit these into their organization.

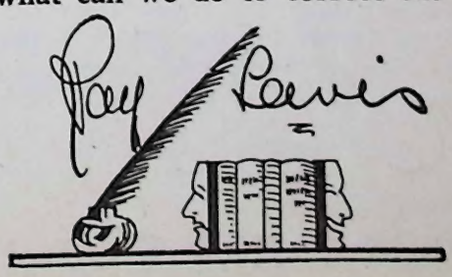
Incidentally, such combinations were the motivating influences which altered the entire complexion of this show business of ours, and changed the nature of our picture magnates from Picture-makers to Finance Climbers of Wall Street.

"How many theatres can we control? How send the ticker up?"" This in discussion with the celebrities of Wall Street, who liked their society mostly, when their fresh, young stars were invited to welcome the "tired business man."

But to come down to present facts, to come home, we are reminded of the words of welcome which greeted the proposed Government Investigation, namely, "We welcome litigation and investigation," and later on, there was an elaboration of this alliteration, "We welcome prosecution."

It would have been much wiser to have honestly said, 'We are regretful that such proceedings have been declared advisable; what can we do to correct the situation?"

Headlines this week announced the proposed prosecution of the Combine and Affiliated Interests, followed by a police raid of film offices; and even at the offices of the Combine, there was no official in the mood to say, "Welcome!"



RAY PRESENTS

RAY LEWIS

YOU have heard about the new invention, designed to make the "Talkies" "smelly." This is no joke, we heard about it, perhaps a year ago, an invention which will make you inhale the perfume of the flowers in the garden of motion pictures. An invention which will inspire a ravishing appetite when Marie Dressler, "brings home the bacon," or prepares to carve a steaming roast turkey at the family Thanksgiving dinner.

This "smelly invention," in accordance with full reports, is ready to inflict its smell upon the picture patronage, which innocently visits theatres, not for smells, but to be entertained.

It is a novelty, something to give the picture business a tonic, or "pick-up," in these days of depression. It saves the producer from too much worry about the story and direction, it will have the effect of making the audience "so full of smells," that it will not be in a position to be too critical.

Can you imagine a scene in a marshy swamp, with a trapped hero or heroine, lying across a log, afloat by one of those motion picture miracles, and a vulture, or a buzzard, or one of those smelly harpies, so famous in Greek mythology, ominously hovering, as if suspended in mid-air, awaiting "the inevitable hour."

How realistic this will be when the stench of the swamp and the smell of these old birds get to the nostrils of theatre patrons. It should help the handkerchief trade.

And again there are other smells, just think of the smell of a poor picture, which exhibitors frequently said "smell to heaven." Just think of such a smell, amplified and decentralized from its heavenly direction, to fill the nostrils of our picture patrons.

We certainly are living in a great age of lustrous, illustrious ideas, not forgetting those which are illuminating through the thought that they are all "lit up," and not least among the latter is the "smelly" idea soon to be introduced into Motion Pictures.

WE ARE hearing many reports of picture production in England by subsidiary companies of American companies. This is not the solution of the British film interest problem. It is only another evidence of the way in which our producers imitate and follow each other as in a procession.

Is it likely that the British producer-distributor, who, after years of effort has built up a British picture market at home, and in the Dominion, will relinquish this trade, because some "bright boy" in the United States has conceived the idea that the way to save the British market for the United States is to produce pictures upon British territory, and call these British?

The British investing public, will support any protest which the British producer-distributor is likely to make regarding such an American compromise, and it is such public interest which fathers legislation.

Try the reciprocal trade idea, make a few trade treaties, between United States producer-distributors, with the British producer-distributor; this appears to The Digest to be the better way.

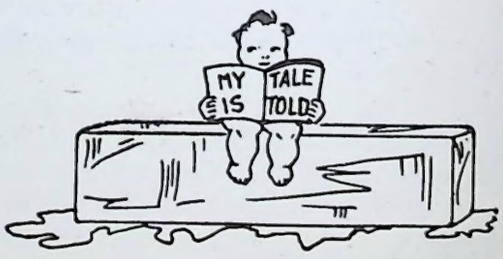
The United States tried the policy of retaining its gold, selling product, but refusing to buy, in fact, making buying impossible by colossal tariffs.

It worked while the buying impetus could not stop itself, on account of its own momentum, but when the involuntary trade movement ceased, the United States found that the voluntary buying of other nations was not directed towards its closed ports, and that these nations closed their ports to the U.S. by high tariff walls, also!

THE SAME situation now confronts the American film industry internationally. Motion Pictures has become a big job, from an international standpoint, too big a job to be entrusted for policies, in the hands of small-brained, or one-track vision men, too big and important an industry, nationally and internationally, not to follow the policy of making friends for itself, and the United States, by fair trade treaties.

Too big an industry not to have long since operated on a policy where buyer and consumer become as one, in their co-operation to retain public favour!

For close to a quarter of a century, the film industry has been the inheritance of the United States. Film men waxed fat and rich upon its profits, not only attained in a domestic market, but the market of the world. Why should the United States Industry, which has had such a formidable start, object to sharing in these latter day picture profits, at a period when the new influx of film contributions from the nations of the world may prove a very salvation, to a picture industry, which has grown somewhat old in ideas, and which now informs the world that it is about to become smelly?



Prosecution as result of Government Investigation to proceed, as announced by Attorney-General Price. Four Provinces joined up.

Yes, Sir!

Emerson Was Right---

Over 100 years ago Emerson said:

"If a man can write a better book, preach a better sermon, or make a better mouse-trap than his neighbor, though he builds his house in the wilderness, the world will make a beaten path to his door."

and he was dead right!

Frankly, the McGlashan, Clarke Co. Ltd., do not write books, or preach sermons - - - BUT THEY DO MAKE AN EXCEPTIONALLY FINE LINE OF SILVERWARE. AND THAT IS WHY LIVE-WIRE EXHIBITORS FROM COAST TO COAST HAVE MADE "A BEATEN PATH TO OUR DOOR."

You Take No Chances When You Give Your Patrons Fine E.P.N.S. Silverware!

The Silverware we are supplying to Theatres across the Dominion, is stamped E. P. N. S. (Electro Plated on Nickel Silver). The ladies know that this is their best guarantee for long-wear - - - and that is why they flock to get it. The small cost will amaze you! Beautiful silk-lined Walnut Cabinets, and a fine Trailer loaned without charge. An E.P.N.S. "Silverware Nite" DOES mean something - - - IT DRAWS THE CROWDS TO YOUR THEATRE.

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O'BRIEN THEATRES—Pembroke, Ont.; Renfrew, Ont.; Arnprior, Ont.; Almonte, Ont.

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Ray Lewis Addresses Rotarians, Belleville, Ont. Subject "British Films and Independents"

Chris. G. Holmes, Manager Capitol Theatre, and Chairman Program Committee Writes Digest: "Your Wonderful Address Topic of Conversation Ever Since"

YOUR EDITOR took a morning train for Belleville this week in order to address a luncheon meeting of the Rotarians, assembled at the Quinte Hotel, Belleville, Ont. An effort was made to have this Ladies' Day, but the plans were not carried out; and the goodly attendance was a male representation solely, including Belleville's bankers, and most representative business citizens.

At a later date your editor will return to Belleville to speak on the occasion of a Ladies' Day with the Rotarians. Ray Lewis will also address the Rotarian Club at Midland, Ont., and will address several other meetings of business organizations, now being arranged under special invitation.

The address covered forty minutes and we present here excerpts taken from this address as they relate themselves directly to the present day problems of Motion Pictures.

"Rivalling the public interest evoked by the Beauharnois disclosures, was the alleged Motion Picture Combine, which became public property when the Government by an Order-in-Council investigated the Motion Picture Industry in Canada, revealing conditions which we, as Britishers, would not have believed possible in the routine of inter-provincial and provincial trade."

"To the victor belongs the spoils," has evidently been the policy of a motion picture trade war in Canada, which has not only eliminated independent film competition but almost succeeded in closing the market to British Films, or any films which the Combine of Interests was desirous of keeping out of the Canadian market."

"Stock crashes, political unrest, the parrot-like reiteration of over-production, technological unemployment, revolutions, which tore away old monarchies to replace these with New Republics, introducing experimental social legislation, have had a disposition to undermine the complacency and optimism of people engaged in business enterprise, but it is not these economic factors alone which have brought about a condition of instability and uncertainty."

"As the war uncovered primitive emotions and revealed men as men in trenches and dugouts, with the halo of their super-manhood thrown aside, so has the gold hysteria of the past few years, and the upsetting of the Applecart of Riches, with their subsequent disclosures of greed and grabbing, regardless of ethical values and responsibilities, brought about a world condition, designated as economic depression, but which in truth is a depression based upon the deflated morale of nations."

"Our confidence in financial magnates, wizards of industry has been swept away because among the greatest of these we have found gods with clay feet. The morale of a nation is supported by the pillars of its moral qualities, vested in, or possessed by the people of that nation; and among the fairest of such qualities are the ethics of doing business, the ethics of living, in other words the moral of "Playing the game."

"Now I contend that no man who is a cheat and a liar in business, who drives the Juggernaut of Power over the under-dog, that is the man in business who is not as important financially, can be other than a liar and a cheat out of business, since a man's business habits must become the habits which motivate his ideals, his ideas and his actions out of business; for the greater percentage of a man's waking hours, if he is in business, is devoted to the subject and the business of getting business."

"You may be interested to know that in the Motion Picture Industry with which I am associated, there is an Arbitration Board, organized, it has been said, to uphold the ethics of film trade as governed by contractual agreements between distributor and exhibitor. This Film Board seeks to adjust disputes, or disagreements which may arise out of the business of buying and selling motion pictures. First, in my explanation of such trade relationship, may I explain that this Industry is divided into three separate units, not always retained in a state of separation, namely production, distribution and exhibition of films."

"The arbitration boards do not function for the benefit of disagreements which may arise between producer and distributor, since all of the producers, with but a small percentage exempted, release, or distribute their own product. The trading disputes between distributors and exhibitors, which involve the signing of a Standardized contract is the business of the Arbitration Board."

"The popularity of these Arbitration Boards with exhibitors, can be judged through years of protests registered against their operation; and through the fact that the highest tribunal of justice in the United States confirmed the Thatcher Decree, that compulsory arbitration is illegal. The White Report, and the prior evidence as submitted certainly made it evident that Exhibitors were opposed to the system."

"However it is interesting to note that a statistical report states that during five years of the operation of these Boards, 75,409 cases, involving $18,241,353.29 were arbitrated; and that during 1928, 23,869 controversies involving $6,503,474.75 were presented to the Board and arbitrated."

"I am about to give you a few more figures, in order that you as business men, may judge whether a film Monopoly is of any consequence, or has any relationship to our Economics. In 1928 the Industry of Motion Pictures represented an investment of two billion dollars in the U.S.; and had an annual expenditure in production alone, totalling $125,000,000. A group of approximately nine companies in the U.S. have supplied not less than 85% of the world's consumption of Motion Pictures. Reports give 100,000,000 as the weekly paid admissions to the Motion Picture Theatres, in the United States alone, which has about 22,000 Motion Picture Theatres."

"Mr. Will Hays, in an address before the Detroit Board of Commerce, said, 'We in America supply a great majority of all pictures made and shown throughout the world, and all the nations combined have one and one-half times the number of theatres as the United States. Product is sold and resold to nearly a quarter of a billion customers."

"Do we wonder that H. R. H. the Prince of Wales, at a luncheon given by the British Film Industry; and where he was the royal guest of honour, said, 'Trade follows the film, take the British Film Industry seriously.' Our Trade Commissioners and Marketing Boards the world over, can testify to the soundness of the Film

(Continued on Page 10)

Counsel on behalf of Bank of Commerce, creditor of Allen Bros., seek to stay proceedings to release Allens from bankruptcy. Claim $170,000 loss.

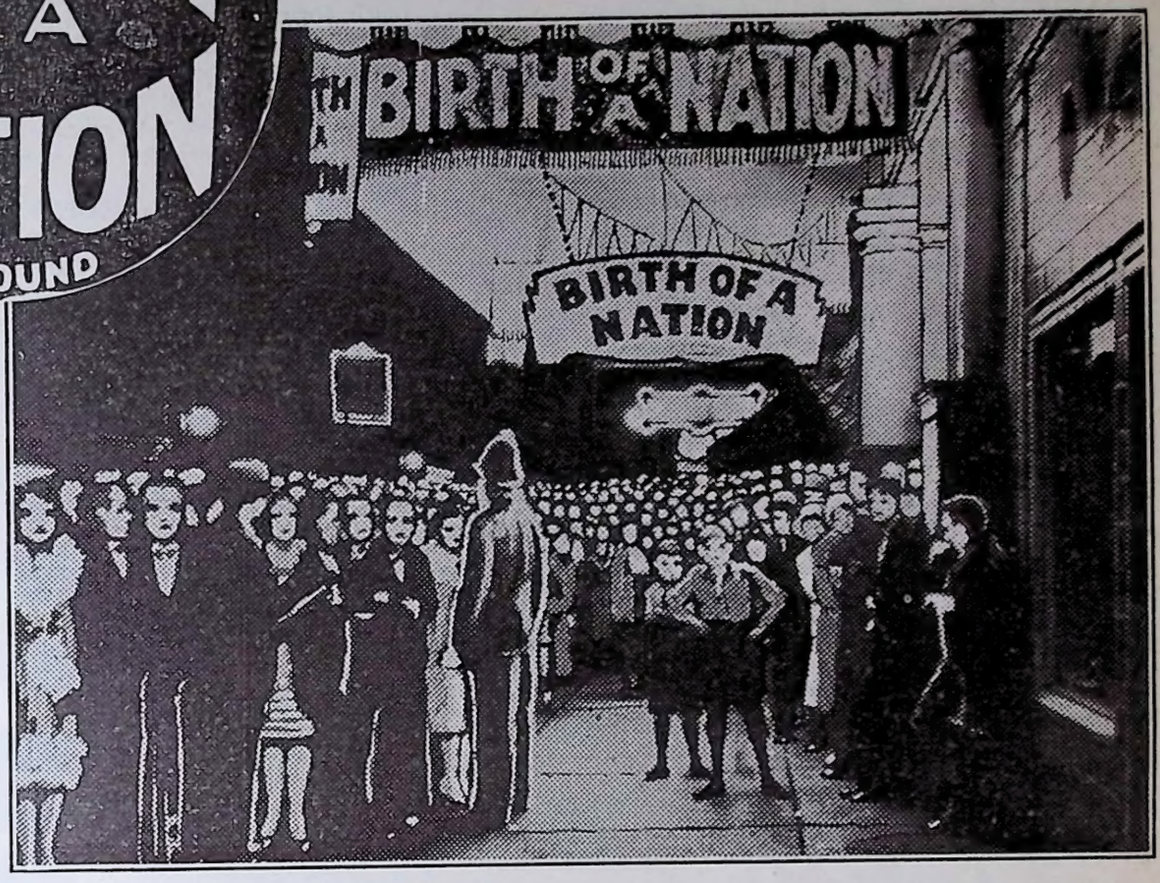
WE SAID IT WOULD

BREAK ALL HOUSE RECORDS

AND IT DID:——

MADISON THEATRE, TORONTO

THE BIRTH OF A NATION WITH SOUND



You book It!

We Exploit It!

Now on its 9th day and still packing and jamming 'em.

and despite all these it is clicking, AND HOW!

THE BIRTH OF A NATION SYNDICATE

277 Victoria Street

NOW BOOKING **TORONTO** **Tel. AD. 9992**

"Trade Follows the Film, Take the British Film Industry Seriously"

(Continued from Page 8)

Trade relationship in respect to Trade in general; and significant among the facts, placed at our disposal by Halsey, Stuart & Co., bankers, in their Motion Picture symposium, is the following, 'for every foot of film sold, the United States secures one dollar in trade.' Three hundred million feet of film were sold during the year, which represents, in addition to its value in film trade, $300,000,000 of trade which follows the film."

"A few years ago I attended a convention in New Jersey, under the auspices of the Motion Picture Theatre Owners. At the banquet, attended by Governor Silzer of New Jersey, Senator Edmonds, and other notables, was Mr. Nathan Burkan, a brilliant representative of the legal profession; and affiliated in a legal capacity with the American Motion Picture Industry. Mr. Burkan, during the course of his address stated, 'The U.S. Film is securing the trade of the world for the United States and England's agitation against the American Film is occasioned by her jealousy of the supremacy of America's film trade."

"When we contemplate the methods which have been employed by certain American film interests to keep British Films, not only out of the American market, but off the screens of the very country which is producing British Pictures, off the screens of the British Empire, we find occasion to challenge such a statement as that made by Mr. Burkan; and in reply can only state that such an attitude on the part of these certain Interests, must be in the nature of a jealousy of British Film Trade."

Trading, in my opinion, does not only constitute selling, but buying. America has certainly not been trading internationally in Films, her film imports are negative, her exports a practical monopoly, 25,000 miles of daily film leaving her distributing centres in their journey to the Screens of the world.

"We have heard a great deal of the popularity of American Films, but has it ever occurred to you what means are taken to popularize them? 725 former newspaper men are employed in the service of America's Film Industry, handling the stories of stars, directors, etc., etc. In one year $68,000,000 has been expended upon advertising material, and 15,000 daily film advertisements are printed in newspapers and magazines on American Films. One U.S. Film company has sold as much as $1,000,000 of advertising accessories in a year."

"The American Film has been boosted to popularity and success by Film propaganda designed for its benefit, but not so with the British Film, which late in the race for Film Trade, has been handicapped in markets already secured by the American Film, some markets dominated by a Combine of Film Interests; and a flood of propaganda such as "British and Bad," which you as Britishers know is absolutely contrary to the nature of anything which is British-made. Our fault in manufacture, or production, if such is a fault, is in the durable quality, the ever-lasting attributes of that which we make. British and Good has always been the Trademark of all things made upon British soil and under the direction of British supervision; and British Films are good."

"You must acquaint yourself with British Films. There are now twenty-four, called The Victory Group, which include British International, British and Dominions, British Lions and other leading Trademarks, not forgetting Gainsborough now being distributed in Canada. Pictures selected for a special showing in London at the Gala British Performance for the visiting Prime Ministers of the Dominions. Pictures which have broken, what is termed theatre-records, in several theatres throughout Canada, but which have not had a fair chance at bookings in key houses."

The Cinematograph Act of 1927 in Great Britain introduced a British Film Quota regulation which has done much toward the stimulation of British Film Trade. Last year 4,000 British exhibitors stated that "the freshness of the British Film saved the Industry from a very bad slump;" and last year also in Great Britain, British Films were topping American Films in box-office returns by fifty percent," as reported in the American press."

"The National Board of Review of the United States recently selected "The Dreyfus Case," a B.I.P. picture, as the month's best. Other British Films have met with equal success, and have, through their sheer merit, blasted a way to the Screens in the United States and Canada."

"British Films will succeed if you help them to succeed, for regardless of legislative co-operation, which will make it compulsory to show a certain percentage of British Films upon the screens of Canada, it is the public's receptivity to such films which will inspire British Film Trade, and the Government to a further interest."

"Sell the Empire through British Films. Start the ball a-rolling, as it were, toward Inter-Empire Trade. If "Trade follows the Film," let us make British Films lead the way. Our strongest allies at present are the Independents, let us help these Independents to remain in business, not only for the sake of selling British Films to such a market, but in the interests of ethics in business, in the interest of competition in business, in the interest of a diversified trade; and because we do not believe that the Combined Interests of any Industry, grouped or merged as a monopoly, is the best for that Industry, its units, or the public."

"The American Film has had British contribution to its success ever since its inception. Mary Pickford, Canadian; Charles Chaplin, English; coming down to the present stars we have as a world screen favorite in the Metro-Goldwyn-Mayer star, Norma Shearer, a Canadian, we have Marie Dressler, judged the greatest box-office draw of the past year, a Canadian. There is Colin Clive, English; Lupino Lane, English; George Arliss, English; the list is too long to enumerate, but it is interesting to note that in what is termed the dominant popularity of American Films, the stars of next season will include Norma Shearer, Canadian; Marie Dressler, Canadian; Pola Negri, Polish; Greta Garbo; Swedish or Danish; Anna May Wong, Chinese; Joan Crawford, French; Marlene Dietrich, German; and that the British contribution will be a formidable one, since the English language is best spoken by those who have been trained to speak English upon British territory."

"Talking Pictures as Screen Drama have given England her great Film opportunity. She is capitalizing upon this superlative asset. Let us as British, capitalize this British Film Trade toward building trade in general, thereby balancing our budgets, and stimulating our trade balances among the Dominions of our Empire, and the nations of the world."

Remember Snowden's challenge, "Come, the world against us, England shall not fall. I charge you, 'Play the Game.'"

Writs have been served upon the Whitney Realty Co. for compensation for services in promotion of sale of Princess Theatre, Toronto, by Ray Lewis Smith.

The British Film Trade Pledge

(In celebration of the Digest's Sixteenth Birthday)

I hereby pledge myself to give (without obligation of any kind) 25% of the bookings at my theatre, or theatres, to British Films, providing there is such a percentage available, that the price is equitable, and the quality measures up to the average films which I am accustomed to play.

Signed .....

Name of Theatre ..... *City or Town* .....

Province .....

Number of Pictures (features) played during 52 weeks .....

Please fill in this page and mail to

RAY LEWIS,

Canadian Moving Picture Digest,

259 Spadina Ave., Toronto.

Toronto Theatres

LOEW'S—Manager Jules Bernstein — John Gilbert in the Metro-Goldwyn-Mayer production, "The Phantom of Paris," with Leila Hyams and Lewis Stone. Cheri-Bibi, John Gilbert, is in love with Cecile, Leila Hyams; and although she returns his love, her father, Bourrelier, is opposed to the match, as he has arranged for her to marry the Marquis du Touchais. Bourrelier is killed by the Marquis, who plans the murder in such a way that the guilt falls on Cheri-Bibi. Cheri-Bibi is arrested and sentenced to die. He escapes and forces Touchais, who has married Cecile, to confess. As Touchais dies, he has not witnesses to prove Touchais' guilt. Bibi impersonates the Marquis, and is successful in proving his innocence by getting a confession from Touchais' past mistress. Cecile and Cheri-Bibi are reconciled. Directed by John S. Robertson.

UPTOWN—Manager Tom Daley — "The Star Witness," with Walter Huston and Charles "Chic" Sale. Grandpa Summerville is visiting the Leeds family, as he has a forty-eight hour leave from the Soldiers' Home. While they are having dinner, they hear some shots fired; and when young Donny tells them that people in two cars are shooting at each other, they all rush to the window in time to see two detectives shot by gangsters. The gangsters enter their home, in order to escape by the rear door, and when the old man tries to stop them, he is knocked unconscious. The gangsters are arrested, and they try unsuccessfully to bribe the father not to talk. The son is kidnapped, and all the family, except Grandpa Summerville, are afraid to testify for fear the boy will be killed. Grandpa insists that they tell all that they know, and he sets out to find Donny. He is successful and arrives back in the courtroom in time to give his evidence, and to have the gangsters convicted. A Warner Brothers' picture, directed by William A. Wellman, from a story by Lucien Hubbard.

TIVOLI—Manager James Lynch — "Bad Girl," a Fox production with Sally Eiler and James Dunn. Sally Eiler, the heroine, bets one of her friends that she can make James Dunn flirt with her. However, she loses the bet, but succeeds in making James, who is a "woman hater," fall in love with her. After visiting his apartment, she learns that she is pregnant. When she tells her brother of her condition, he becomes very angry, and sends her from the house. She marries Dunn, not telling him that she is to become a mother.

IMPERIAL—Manager H. V. Knevels—Constance Bennet in "The Common Law," with Joel McCrea and Lew Cody. Constance Bennett in order to earn a living decides to pose as a model. She applies to Joel McCrea, a young artist, for a position, and gets it on the stipulation that she pose in the nude. The artist falls in love with her, but their happiness is broken when he learns that she has lived with another man. They part, but are brought together again at a Ball, and Constance becomes Joel's common law wife. His sister tries to break up the affair, but only succeeds in bringing things to a climax, and the couple are married. An RKO Pathe feature, directed by Paul L. Stein.

SHEA'S—Manager Jerry Shea — A Fox production, "The Brat," with Sally O'Neil. Sally, hungry and penniless goes into an Italian restaurant, and unable to pay for her meal, is arrested and sentenced to a few days in jail. Allan Dinehart, an author, thinking that Sally is just the kind of heroine he needs for his next book, pays her fine and takes her home. She falls in love with his younger brother, and after a great deal of indecision they finally marry. Directed by John Ford.

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Exhibitors serving the Public with silverware for special nights, appear to be enjoying packed business, a visit to theatres disclosed.

The New Film on Broadway

By *Betty Ross*

"CAUGHT PLASTERED," based on a story by Douglas MacLean; directed by William Seiter; an RKO Radio picture.

A witty humorous tale featuring the antics of Robert Woolsey and Bert Wheeler is now creating much merriment in the new talkie "Caught Plastered."

The comedians run off their vaudeville patter in a drug store, which they undertake to rejuvenate after the dear old lady who is its owner comes perilously close to landing on the sidewalk. They install a daily radio broadcast, lunch counter, book shelves and the usual appurtenances of the up-to-the-minute dispenser of medicines. There is a major crisis along about the middle of the picture when a customer asks to have a prescription filled.

Villainy plays her evil role in the person of a crooked realtor who wants to foreclose on the old lady and get the store for himself. There is a girl who goes to Mr. Wheeler at the end, after a lusty tussle between the forces of good and evil.

Dorothy Lee makes an excellent ingenue and Jason Robard does well as the villian.

Don't miss this hilarious picture.

* * * *

"MERELY MARY ANN," an adaptation of Israel Zangwill's play; directed by Henry King; produced by the Fox Film Corporation.

The screen version of Israel Zangwill's successful stage play promises to be as great a hit as it was long ago. With Miss Janet Gaynor in the leading role as the orphan servant to the young impoverished composer, John Lonsdale, played by Charles Farrell, the old play is given new life and zest.

Mary Ann is the servant girl who cleans the composer's room. She secretly adores him and tries in many ways to please him.

Lonsdale is her idol, for Mary Ann is devoted to music. In this film conception, Lonsdale, after going through hard times, eventually turns out an operetta, but what is perhaps more significant is that the little orphan, who says her name is "merely Mary Ann," inherits $1,000,000, which she would be willing to give up just to be permitted to do the housework for Lonsdale when he goes to live by the sea.

Miss Gaynor contributes a simplicity and charm to the scenes that is very ingratiating.

Miss Mercer does well as the landlady. She, true to type, has no sympathy for young composers who do not pay their rent but she changes her attitude when money comes on the scene in the form of the humble toiler who has become an heiress.

You will like this film!

* * * *

"EIN BURSCHENLIED AUS HEIDELBERG," based on a story by Ernest Neubach and Hans Wilheim; music by Hans May; directed by Karl Hartl; a Ufa Kultur production.

A captivating German romance with a Heidelberg background, good music, and a pretty actress make up this unusually fine picture.

It is another Teutonic film which can be understood to certain extent by those unfamiliar with German, especially after a perusal of the narrative synopsis on the program. Three of the songs are bound to win great favor. They are: "Ich Liebe, Due Liebst, Er Liebt," "Komm Herunter, Rosalinde" and "Mein Herz Haengt An Dir." The music for these renditions was composed by Hans May and the lyrics by Ernest Neubach.

But this picture does not depend wholly upon these charming refrains, for its director, Karl Hartl, has endowed his work with imagination and an agreeable sense of humor.

Betty Bird, who, notwithstanding her English name, is a Teutonic player, gives a most ingratiating performance as Elinor Miller, Willi Forst is excellent as Robert Dahlberg, the student who wins Elinor's love, and Hans Brausewetter does splendidly as Dahlberg's rival, Werner Bornemann.

The first few flashes are in New York but after that the winsome Elinor goes to Heidelberg, where she takes a post-graduate course. She is the only girl in the classroom and her first appearance is not precisely conducive to study. As she wears a hat that covers her hair, it is conceded that Dahlberg may court her without opposition if she is a blonde, and that if she is a brunette the indomitable Bornemann is to be free to pursue her. To satisfy the two students Elinor snatches off her hat and reveals her hair to be the happy medium, a chestnut hue.

As Dahlberg teaches Elinor to conjugate German verbs in song, such as "Ich Liebe, Due Liebst Er Liebt," Bornemann soon discovers that he stands no chance against his rival to win Elinor. Bornemann in pique composes a song which he sings before a group of the students, including Dahlberg, and the latter slaps Bornemann's face, with the result that there is a challenge to a duel of honor.

The incidents leading up to the duel have their amusing angles and also a suggestion of serious turns. Bornemann's uncle is terrified at the dexterity with which his nephew slashes off the nose of a dummy, and he forthwith persuades the fair, or at least chestnut-haired Elinor to use her influence to deter her sweetheart from fighting. There is the inevitable contretempts with the temporarily ashamed Dahlberg, but in the end he gives Bornemann the surprise of his life and love has its way.

Herman Blass as Sam Meyer provides much comedy in his search for Elinor to collect an inheritance tax. The songs sung by the groups of students are very effectively done.

* * * *

"A HOLY TERROR," screen drama based on the novel "Trailin'" by Max Brand, directed by Irving Cummings and presented by Fox.

The Wild West with new fangled embellishments is the scene of the latest story based on Max Brand's novel. There is enough of the original Western ranch life with the bronco-busters and ranch men to revive memories of the fast disappearing Wild West, but the modern devices and its accoutrements create a new type of setting.

James Kirkwood, George O'Brien, Sally Eiler and Rita La Roy composed an excellent cast. The rest of the players support them in an able performance.

Round About the Studios

M-G-M Closes Deal With Associated Theatres

Metro-Goldwyn-Mayer has closed a deal with J. Louis Rome, director of the Associated Theatres, Baltimore, Maryland, the contract stating that Rome is to run Metro-Goldwyn-Mayer pictures at several of the theatres on his circuit. It is not known whether the contract is on a percentage basis. The first two pictures to be played were "Trader Horn" and "Pardon Us," the Laurel and Hardy feature which is making such a hit.

"Hobson's Choice" Now Completed

The production of Thomas Bentley's latest subject for B.I.P., "Hobson's Choice," is now completed and cutting operations are alreay in progress.

Three Columbia Productions on Broadway

For the second time in the past year, Columbia has three important productions on Broadway. They are "Pagan Lady" at B. S. Moss'; "Fifty Fathoms Deep" at the Mayfair and "The Dreyfus Case" at Warners. At the same time the first two are playing simultaneously at the Woods and RKO Palace in Chicago.

"Reckless Living" Universal's Release

The adaptation of the Broadway play known heretofore in the studios as "Twenty Grand" has finally received its releasing title. Universal will call it "Reckless Living." It features Ricardo Cortez, Mae Clarke, Norman Foster, Slim Summerville, Marie Prevost and Pauline Moore. Cyril Gardner directed it. It is marked for release early in October.

Una Merkel Signs M-G-M Contract

Una Merkel, who has been greatly in demand in Hollywood since her appearance with Walter Huston in "Abraham Lincoln," has been signed to a long-term contract by Metro-Goldwyn-Mayer.

Miss Merkel has just completed a new role for this company in the picturization of Noel Coward's "Private Lives," in which Norma Shearer and Robert Montgomery are playing opposite each other.

Her roles during the past season include parts in "Eyes of the World," "Daddy-Long-Legs," and "The Maltese Falcon."

Metro-Goldwyn-Mayer Studio Active

Beginning its fall production schedule on products for the new release season, the Metro-Goldwyn-Mayer studio is witnessing the greatest activity of the year. Eight feature companies are at work and four others slated to start within the next few weeks.

The fall schedule will bring to the screen a number of productions of unusual story interest and marks the joining of important new starring combinations as well as supporting casts of outstanding popularity.

Rathbone Plays Second RKO Pathe Lead

Basil Rathbone's engagement as leading man for Pola Negri in "A Woman Commands," marks this Broadway favorite's second lead under the RKO Pathe banner. Several months ago, he appeared opposite Constance Bennett in "Sin Takes a Holiday." Rathbone is flying from New York to join the cast which is already rehearsing.

"The Spirit of Notre Dame"

Universal's football feature, Lew Ayres in "The Spirit of Notre Dame" will be released on October 10th throughout the United States. This football feature, with the Four Horsemen, Frank Carideo and nine more famous Notre Dame stars, was produced as a memorial to the late Knute Rockne.

Supreme Court Upholds Pathe

RKO Pathe's contention that it is not responsible for the contractual obligations of Pathe Exchange, Inc., was upheld again this week in a decision handed down by Judge Heath in the Supreme Court of Otsego County, New York.

Clarence Geldert Added To Cast of "Cuban"

Military or police roles fall regularly to the lot of Clarence Geldert, who recently played the detective in "Guilty Hands" and who was last week cast as the Marine colonel in "The Cuban," Metro-Goldwyn-Mayer's new Lawrence Tibbett picture.

Geldert, who played Lewis in "Unholy Night" and has been seen in other recent hits, plays Tibbett's commanding officer, the latter being a marine on duty in Cuba in the picture, which W. S. Van Dyke is directing.

Strickland, Columbia, New Denver Manager

Following its policy of advancing its own men from the ranks, in preference to taking employees from other organizations, Columbia Pictures has appointed Hugo Strickland, as Branch Manager of its Denver Office. Strickland has replaced R. J. Garland, who is no longer with the organization.

Mr. Strickland, was formerly a salesman out of the San Francisco office where he displayed such marked ability his promotion followed.

RKO Pathe Western Unit at Nevada Location

The RKO Pathe Western unit headed by Tom Keene, Western star, and a company of sixty film players and technicians are on location at Lone Pine in the Sierra Nevada mountains making outdoor action scenes for "Freighters of Destiny," a new Western picture.

Members of the cast at Lone Pine included Barbara Kent, Mitchell Harris, Frank Rice, Billy Franey and William Walsh. Fred Allen, supervisor of RKO Pathe's western pictures, is with the unit and will direct the production.

"Skycraper" To Go Into Production Shortly

Harry Beaumont will direct the picturization of Faith Baldwin's Cosmopolitan Magazine serial, "Skyscraper," which will get under way in the near future on the Metro-Goldwyn-Mayer lot.

Madge Evans, former child actress who has played leading roles in "Son of India" and "Sporting Blood," has been given the feminine lead in the new film, and Robert Young, who made his debut opposite Helen Hayes in the newly-completed "Lullaby," will be seen opposite her.

"Extra! Extra" is McHugh's Latest

"Extra. Extra." one of the "Newspaperman" series of RKO Pathe comedies starring Frank McHugh, has gone into production at the Culver City studio under the direction of Harry Sweet. Mae Busch and Ralph Ince head the supporting cast.

Five new musical numbers, four with dance ensembles, are to be offered by Metro-Goldwyn-Mayer in "Flying High," this company's first comedy musical of the current season.

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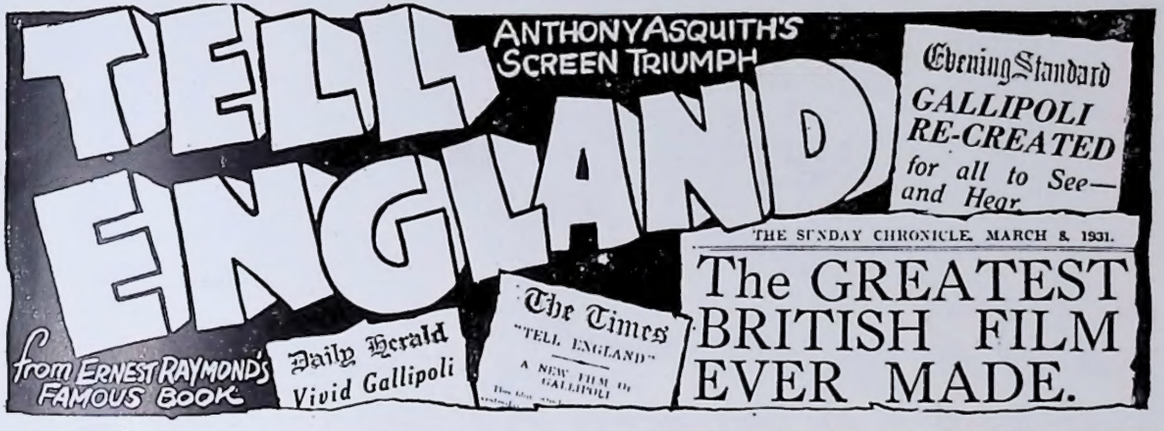

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